



Town of Cape Charles Planning Commission

Annual Report
(January 2025-December 2025)

Bill Stramm,
Chairman

Katie Nunez,
Director of Planning/Zoning Administrator
& Subdivision Agent

March 10, 2026:

Mayor Charney & the Cape Charles Town Council:

On behalf of the Cape Charles Planning Commission, I am pleased to provide you with the 2025 Annual Report of the Planning Commission, as required by *Section 15.2-2221 of the Code of Virginia, as amended, which prescribes the duties of the local planning commission. The duties include a requirement to provide an annual report to the local governing body concerning the operation of the commission and the status of planning in its jurisdiction*

In 2025, the Planning Commission addressed several applications that were submitted, from rezoning applications to conditional use permit applications and re-zoning text amendment considerations.

A significant portion of our time was devoted to a full review of proposed changes to the Chesapeake Bay Preservation Act (CBPA) Overlay ordinance as a result of state changes to this law and newly developed regulations to assist localities in the enforcement and administration of the CBPA.

The specifics of these applications and discussions are detailed below.

Staff finished the editing of the approved Zoning Ordinance rewrite and completed the codification of this document into the Town Code, which was launched in December 2025. Therefore, the Town's Zoning Ordinance is now Chapter 32 of the Town Code, which is found on the Home Page of the Town Website: [Code of Ordinances | Cape Charles, VA | Municode Library](#)

Staff was able to initiate the selection of a planning consultant, the Berkley Group, to oversee the master planning process for the Railroad and Harbor area. This contractual work was kicked off at a Town Council meeting on December 2, 2025, and will continue through all of 2026.

Staff will be working on developing the proposed zoning text amendment changes to the Accawmacke Plantation (Bay Creek) Planned Unit Development ordinance in 2026, with the anticipated public hearings occurring in late summer/early fall.

In 2025, the Planning & Zoning staff was not able to commence any of the IT projects, so we will be working on these in 2026, which include (1) GIS Mapping Software and (2) Permitting Software for the planning & zoning issued permits.

2025 Planning Commission Members

Name	Representation	Term of Appointment	Notes
Bill Stramm, Chair	At-Large Member	11/1/2022 – 10/31/2026	Re-elected in February 2025 as Chair
Bill Ashworth, Vice-Chair	At-Large Member HARB Rep.	11/1/2024 – 10/31/2028	Elected in February 2025 as Vice-Chair
Libby Wright	At-Large Member HDRB Rep.	2/11/2024 – 10/31/2027	-
Clayton Newman	At-Large Member Town Council Rep.	1/16/2025 – 12/31/2028	-
Shannon Smith	At-Large Member HARB Rep.	1/1/2023 – 10/31/2025	-
Jim Holloway	At-Large Member BZA Rep.	11/1/2022 – 10/31/2027	-
Ian McDonald	At-Large Member	6/7/2024 – 10/31/2028	-

NOTE: The Planning Commission appoints its members to serve as their designee on the following Town Boards:

Historic District Review Board – 1 Appointment

- Libby Wright, term of appointment is: 2/1/2024 - 10/31/2027

Board of Zoning Appeals – 1 Appointment

- Jim Holloway, term of appointment is 11/1/2022-10/31/2027

Harbor Area Review Board – 2 Appointments

- Bill Ashworth, term of appointment is 11/1/2024-10/31/2028
- Shannon Smith, term of appointment is 1/2023 – 10/31/2025

2025 Planning and Zoning Staff

Katie Nunez, Director of Planning & Zoning Administrator & Subdivision Agent
 Tracy Outten, Planning/Zoning Assistant, Preservation & Zoning Administrator
 Jack Steinmayer, Zoning Compliance Officer & Planning & Zoning Administrative Assistant

2025 Planning Commission Meetings

For 2025, Bill Stramm and Bill Ashworth were elected unanimously in February 2025 as Chair and Vice-Chair, respectively.

<u>2025 Attendance</u>													
<p>Blue highlighted dates are Work Sessions. Purple highlighted dates are Public Hearings. Green highlighted dates are Joint Public Hearings with the Town Council. Orange highlighted dates are Joint Work Sessions with the Town Council.</p> <p>P = Present; A = Absent; V = Vacant</p>													
	1/7/2025	2/4/2025	3/4/2025	4/1/2025	4/10/2025	5/6/2025	6/3/2025	7/1/2025	8/5/2025	9/2/2025	9/22/2025	10/7/2025	12/2/2025
Bill Stramm	Cancelled	P	P	Cancelled	P	Cancelled	P	P	P	Cancelled	P	P	Cancelled
Bill Ashworth		P	P		p		P	P	A		P	P	
Shannon Smith		P	P		P		P	A	A		A	A	
Jim Holloway		P	P		P		P	A	P		A	P	
Elizabeth Wright		P	P		P		P	P	P		A	P	
Ian McDonald		P	A		P		P	P	P		P	P	
Clayton Newman		A	P		p		P	P	P		P	P	

In 2025, the Planning Commission held 3 Regular Session Meetings; 4 Public Hearings, 1 Work Session; 0 Joint Work Sessions with Town Council; and 0 Joint Public Hearings with Town Council.

LISTING BY MEETING DATE OF TOPICS/ITEMS ADDRESSED AT THE MEETING

1/7/2025: The Planning Commission Regular Meeting was cancelled.

2/4/2025: The Planning Commission held a public hearing for a Conditional Use Permit (CUP 2025-01): application from Jon Dempster, who was requesting to locate a non-conforming fence of 6 feet in height to serve as screening for 3 propane tanks to be located to the left of the handicapped access door, facing Mason Avenue.

3/4/2025: The Planning Commission held a public hearing for a Conditional Use Permit (CUP 2025-02): application from Donna and Gregory Kohler, 711 Tazewell Avenue/302 Fig Street (Fig Street Inn), to amend a previously approved Bed & Breakfast Conditional Use Permit to request to add to its allowed commercial uses, the following: bicycle rental; gift shop; and an EV charging station.

4/1/2025: The Planning Commission Regular Meeting was cancelled.

4/10/2025: The Planning Commission held public hearings for a Zoning Map Amendment (ZMA) 2025-01: application from Seabreeze Associates, LP, to Conditionally Rezone with proffers 201-209 Washington Avenue (Tax Map #83A1-3-B2 & #83A1-3-3) from Residential-1 (R-1) to Residential-3 (R-3) and a Zoning Text Amendment (ZTA) 2025-01: application from the Town of Cape Charles to amend Article III, Section 3.3 (E) of the Cape Charles Zoning Ordinance by deleting the provision requiring a 3-acre lot minimum for a Multi-Family Project Development.

5/6/2025: The Planning Commission Regular Meeting was cancelled.

6/3/2025: The Planning Commission held its regular meeting to review proposed changes to the Cape Charles Zoning Ordinance Section VII – Chesapeake Bay Preservation Act – markup of Model Ordinance as a result of state law changes, as well as proposed edits to the Definitions Chapter (Appendix A) and the Site Plan Ordinance (Appendix C). Furthermore, the Planning Commission also reviewed proposed changes to the Cape Charles Zoning Ordinance Section VIII – Historic District Overlay Ordinance regarding the review process for three categories of work: Routine Maintenance, Minor Work, Major Work, and the proposed addition of a new Appendix to the Historic District Guidelines.

7/1/2025: The Planning Commission held its regular meeting to continue to review proposed changes to the Cape Charles Zoning Ordinance Section VII – Chesapeake Bay Preservation Act – markup of Model Ordinance as a result of state law changes, as well as proposed edits to the Definitions Chapter (Appendix A) and the Site Plan Ordinance (Appendix C). The Planning Commission also continued its review of the proposed changes to Cape Charles Zoning Ordinance Section VIII – Historic District Overlay Ordinance regarding the review process for three categories of work: Routine Maintenance, Minor

Work, Major Work, and the proposed addition of a new Appendix to the Historic District Guidelines.

8/5/2025: The Planning Commission held a public hearing for a Conditional Use Permit (CUP 2025-03): application for a Comprehensive Sign Plan for Dreams by the Water Subdivision. Furthermore, the Planning Commission finalized its review of incorporating changes to the Draft Zoning Text Amendment of Cape Charles Zoning Ordinance Article VII – Chesapeake Bay Preservation Ordinance to finalize for submission to the Town Council to commence the Public Hearing process on said Zoning Text Amendment.

9/2/2025: The Planning Commission Regular Meeting was cancelled.

9/22/2025: The Planning Commission held a work session for a discussion about the Accessory Dwelling Unit (ADU) Ordinance and whether it should be expanded to allow Short-Term Rentals (either by right or by conditional use permit) pursuant to a request forwarded from the Town Council that was received by the Historic District Civic League.

10/7/2025: The Planning Commission held its regular meeting to discuss and review proposed Zoning Ordinance and Comprehensive Plan changes to Accessory Dwelling Units regarding being allowed as STRs. Furthermore, the Planning Commission was notified of ongoing county discussions regarding Zoning changes to the Town Edge.

12/2/2025: The Planning Commission Regular Meeting was cancelled.

I. **Comprehensive Plan** – No changes were made to the Comprehensive Plan in 2025.

II. **Town Zoning Ordinance (2025)** – No changes were made to the Zoning Ordinance in 2025.

III. **Zoning Text Amendments (2025)**

A. Zoning Text Amendment (ZTA) 2025-01: application from the Town of Cape Charles to amend the Cape Charles Zoning Ordinance Article III, Section 3.3. (E) – Residential-3 Multi-Family District R-3 by removing the 3-acre minimum land requirements for a Multi-Family Project Development.

For Multi-Family Project Development

<i>For Townhouses</i>	<i>3-Acres Minimum</i>
Minimum Lot Size (lot area pre-dwelling unit) (sf)	1,500 (sf)
Front Yard (no parking in front yard) (ft)	30'
Front Yard (parking in front yard) (ft)	35'
Side Yard between separate structures	25'
Side Yard between end structure and side property line	35'
Rear Yard (no parking in rear) (ft)	20'
Rear Yard (parking in rear) (ft)	35'
Maximum Building Height	40'
Maximum Lot Coverage	45%
Maximum Lot Width (ft)	100'

At their meeting on April 17th, 2025, Town Council voted 5-1, with Councilwoman Holloway dissenting, to adopt Ordinance 20250417A – Amending the Cape Charles Zoning Ordinance Article III – District Regulations, Section 3.3 – Residential Multi-Family District Requirements.

IV. Conditional Use Permits (2025)

A. Conditional Use Permit (CUP) 2025-01: application from Jon Dempster at 133 Mason Avenue. This property is located in the Commercial-1 Zoning District and is seeking to locate a fence of 6 feet in height to serve as screening for 3 propane tanks proposed to be located to the left of the handicapped access door, facing Mason Avenue. *On February 4th, 2025, the Planning Commission voted unanimously to recommend the Conditional Use Permit Application for Town Council approval.*

At the February 2nd, 2025 Town Council Meeting, the Town Council voted unanimously to approve Conditional Use Permit 2025-01 at 133 Mason Avenue for the installation of a non-conforming 6' fence within the Commercial-1 District.

B. Conditional Use Permit (CUP) 2025-02: application from Donna and Gregory Kohler, 711 Tazewell Avenue/302 Fig Street (Fig Street Inn) (Tax Map #83A4-2-A, #83A4-2-J & #83A4-2-J) to amend a previously approved Bed & Breakfast Conditional Use Permit to request to add to its allowed commercial uses, the following: bicycle rental; gift shop; and an EV charging station. *On March 4th, 2025, the Planning Commission voted unanimously to recommend the amended Conditional Use Permit Application for Town Council approval.*

Before the March 20th, 2025, Town Council Meeting, the applicant withdrew their application.

C. Conditional Use Permit (CUP) 2025-03: application from Chris Larmore, for the review of a Comprehensive Sign Plan to place sales and marketing signage on Lots 1, 2, 3, 9, and 10 in the Dreams by the Water Subdivision, off of Washington Avenue. *The applicant did not show up at the public hearing and later withdrew the application.*

Before the August 21st, 2025, Town Council Meeting, the applicant withdrew their application.

V. Zoning Map Amendments (2025)

A. Conditional Rezoning Application (ZMA 2025-01): application from Seabreeze Associates LP, to rezone their property identified as 201-209 Washington Avenue (Tax Map #83A1-3-B2 & #83A1-3-3) from Residential-1 (R-1) to Residential-3 (R-3) with proffers. The proffered conditions are as follows:

- a.** *The applicant (Seabreeze Associates, LP) is seeking to rezone their two parcels from Residential-1 to Residential-3 with the following proffer conditions.*
- i.** *The individual residential units on the property shall not be rented for periods of time of less than 30 days each;*
 - ii.** *It is understood that all phases of the proposed project shall comply with all ordinances of the Town of Cape Charles;*
 - iii.** *Further lawful conditions or restrictions against the Property may be required by Grantee during the detailed Site Plan review and administration by all appropriate agencies and departments of Grantee, which shall be observed or performed by the Grantor. Grantor acknowledges that additional further lawful conditions or restrictions may be imposed by Grantee as a condition of approvals, including but not limited to final site plan approval;*
 - iv.** *All references hereinabove to zoning districts and to regulations applicable thereto refer to the Town Zoning Ordinance of the Town of Cape Charles, in force as of the date the conditional rezoning amendment is approved by the Grantee:*
 - v.** *The Grantor conveys and agrees that:*
 - 1.** *The foregoing conditions are reasonable;*
 - 2.** *The Zoning Administrator of the Town of Cape Charles, VA, shall be vested with all the necessary authority on behalf of the governing body of the Town of Cape Charles, VA, to administer and enforce the foregoing conditions and restrictions specified in this agreement, including (i) the ordering in writing of the remedying of any noncompliance with such conditions, (ii) the bringing of legal action of suit to ensure compliance with such conditions, including mandatory or prohibitory injunction, abatement, damages or other appropriate action, suit or proceeding;*
 - 3.** *Failure to meet all conditions shall constitute cause to deny the issuance of any of the required building or occupancy permits as may be appropriate; and*
 - 4.** *The Zoning Map shall show by an appropriate symbol on the Map the existence of conditions attaching to the zoning of the subject Property on the Map and that the ordinance and conditions may be readily available and accessible for public inspection in the office of the Planning & Zoning Department, and that this Agreement shall be recorded in the Clerk's*

*Office of the Circuit Court of the County of Northampton,
Virginia and indexed in the name of the Grantor and Grantee.*

After discussion, the Planning Commission voted unanimously to recommend to the Town Council to approve the Conditional Rezoning (ZMA2025-01) of 201-209 Washington Avenue (Tax Map #83A1-3-B2 & #83A1-3-3) from Residential-1 (R-1) to Residential-3 (R-3) with the proffers provided by the applicant.

At their April 17th, 2025, Public Hearing and Regular Meeting, the Town Council adopted Ordinance 20250417B to conditionally amend the Cape Charles Zoning Map to show Tax Map #83A1-3-B2 & #83A1-3-3 has been rezoned from Residential-1 (R-1) to Residential-3 (R-3).